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Director General
Department General for Health and Food Safety (DG SANTE)
European Commission
Rue de la Loi 200
1049 Brussels

Cc: Claire Bury, Deputy Director General, DG SANTE

Brussels, 17th February 2026

European response to massive baby milk contamination by cereulide toxin

Dear Ms Gallina,

[foodwatch](https://www.foodwatch.org) is a non-profit campaigning organisation that fights for safe, healthy, and affordable food for all people. We give consumers a loud voice, speak up for transparency in the food sector, and defend our right to food that harms neither people nor the environment. Almost one million people support our work across Europe. We have offices in five EU member states: Germany, France, the Netherlands, Belgium, and Austria.

We are writing to you **concerning the EU level response to the worldwide contamination of powdered baby milk by toxin cereulideⁱ**. We have been following the case since Decemberⁱⁱ and we have already reached out to your services and RASFF about it throughout December and January. As the full sequencing of events that led to such a large-scale contamination remains unclear, we keep receiving daily requests for information from international media outlets as well as concerned parents. We are unfortunately not in the position to provide detailed responses to these questions, which are all the more legitimate as infant formula is a product aimed at a particularly vulnerable part of the population.

Therefore, we ask the European Commission to take action to ensure full transparency about the handling of the products' safety alerts and recalls across Europe as well as the full implementation of the EU General Food Law.

Background

Since early December 2025, recalls of powdered baby milk have multiplied across the European Unionⁱⁱⁱ, following product contamination by the toxin cereulide originating from the bacterium *Bacillus cereus*, and which was first detected in the Netherlands. More specifically, the contamination concerned arachidonic acid oil (ARA), an ingredient used in base powder in the production process of infant formula and follow-on formula. While the contamination initially only concerned products from Nestlé, supposedly only in a handful of countries, it quickly took a global scale because the contaminated ARA appears to have originated from the same supplier, Cabio Biotech, located in China.

At the time of writing, product contamination and recalls have been reported across over seventy countries^{iv} way beyond the EU borders, and several companies are involved, including major companies like Nestlé, Lactalis, Guigoz, Danone, Hochdorf, or Granarolo.^v In its public communication, the company Nestlé for instance acknowledged that it had been aware of the cereulide contamination since November 2025^{vi}. However, mass public recalls did not take place until 5 January 2026.

In the meantime, numerous cases of children's sicknesses occurring shortly after consumption of recalled batches keep being reported across the European Union and other third countries^{vii}. Several investigations have been opened about the potential causal link between the milk consumption and those cases – including in the United Kingdom, France, Belgium, Luxemburg, and Switzerland. A causal link was already confirmed for five cases in Belgium and two cases in Brazil^{viii}. In three cases in France, babies have died and court investigations about the direct link with formula consumption are still underway.

As the list of recalled products is getting longer and health concerns are growing among consumers, it is very difficult for families and consumers at large to get a comprehensive and clear picture of what has happened. At the end of this letter, we provide a chronology of what we know, but numerous questions about the handling of the case remain.

The EU General Food Law^{ix} establishes a strong framework to ensure food safety as well as real-time information between companies and authorities, and towards consumers, and traceability in case of crises. However, in this case, legitimate questions arise regarding whether the food operators have complied with their legal obligations to ensure product safety, traceability, and transparent information towards the authorities and consumers. Moreover, the communications between national and European authorities in response to information on the contamination in the context of the rapid alert system for food and feed (RASFF) are also unclear. In the context of

the potential health risks at play for a particularly vulnerable part of the population (infants), such a lack of clarity is not acceptable.

Our questions in relation to the lawful implementation of the EU General Food Law

The EU General Food Law (GFL) aims to guarantee consumer safety and the traceability of food products that are put on the market, with primary responsibilities put on food operators. It tasks Member States authorities with monitoring and enforcement responsibilities. It also foresees provisions for communications and alerts to Member states, including through RASFF, in case of crises such as the one described above.

Therefore, we are turning to you with questions on several points, which currently remain unclear, and raise doubts about the lawful implementation of the EU GFL provisions.

GFL article 50 foresees that whenever a member of the RASFF network has any information about a direct or indirect risk to human health deriving from food or feed, it shall immediately notify the Commission, which then transmits it to other members.

- In this context, why did the Dutch authorities not communicate to the European Commission, to other Member States, and to consumers when they were alerted of a contamination issue by Nestlé in one of their factories in early December 2025?
- Why did the first notification about the contamination in the Dutch factory originate from the Italian authorities on RASFF?^x Were the Italian authorities the first Member State to launch the alert towards other members of the network? Where does the Cereulide measurement of 0.58 µg/kg - ppb dating from 1st December 2025 and mentioned on the Italian notification come from?
- When was the European Commission first made aware of the contamination?
- According to a press release from the Austrian authorities^{xi}, silent recalls were carried out by Nestlé in Austria in December. Why were these recalls carried out silently and why did they only happen in certain countries?
- Is the European Commission considering an official investigation on the sequencing of events, including the food operators' compliance with their responsibility for safety, information, and traceability as well as the Member States' obligation to communicate in due time within the RASFF framework and consumers?
- When did the European Commission first officially discuss the issue with Member States? What decisions were taken?

Considering the traceability obligations in the EU GFL article 18:

- Can the European Commission clarify at which precise moment Nestlé and other companies identified the contamination?
- While Nestlé knew they had a cereulide problem since November 2025, why did it take several weeks for them and other companies to locate the origin of the contamination? And why did it take until January 2026 for them to extend the scale of the product recalls from 6 to over 70 countries?

According to EU GFL article 53, when a risk cannot be contained satisfactorily by a Member State measure – which seems to be the case here due to the international dimension of the contamination through exports – the European Commission can act.

- Considering the significant delays between the first identification of ingredient contamination with cereulide and the wave of product recalls, is the European Commission considering specific follow-up measures towards the companies from which the contaminated products originate?
- Since the same Chinese factory supplied ARA to all the companies whose products were contaminated, is the European Commission considering conducting an audit of the company and investigating the level of safety checks carried out by food operators relying on it for their supplies?
- Why has the European Commission not taken uniform measures to suspend the trade of the incriminated ingredients so far?
- Can the European Commission confirm that the Chinese company has received a European authorisation to market its ingredient ARA as a novel food? If so, is the European Commission considering reviewing this authorisation following this large-scale contamination?

State of play in terms of health situation

Due to the large number of sicknesses reported and currently still under investigation, foodwatch is concerned about the lack of routine testing for the toxin around Europe. The numerous testimonies that we have received from parents, supported by medical records, indicate very serious symptoms among affected children (incessant diarrhoea, fever, abdominal pain, projectile vomiting), which ceased after they stopped consuming the recalled milk. Some parents reported calling the manufacturers to report health problems as early as November, without receiving any follow-up. Parents often discovered the information about the recalls way too late, in some cases after newborns spent long weeks in intensive care. Families have also reported that companies have asked them to destroy the recalled boxes, which, if followed, would make independent testing by third parties impossible.

In the meantime, in their public communications, companies whose products are now recalled deny having been informed about medical cases following consumption of milk by children. They minimise potential causal links with the consumption of their products. Yet the risks of potential poisoning by bacillus cereus have been well identified by the industry for years. It is known as the second leading cause of food poisoning in France since 2011, according to the French National Research Institute for Agriculture, Food, and Environment (INRAE)^{xii}.

Hence our questions:

- Based on the updated EFSA opinion on cereulide, does the European Commission intend to take measures to ensure that testing capacities for cereulide can be upgraded in a uniform way around Europe?
- Does the European Commission intend to take other measures to ensure the safety of children consuming infant formula?
- What does the European Commission intend to do to ensure that full transparency about the potential contamination of recalled batches is made and that no evidence is destroyed by companies?

We thank you in advance for a quick and full response to these important questions. We would also welcome the opportunity to hold an exchange with your services regarding the European Commission's current and planned actions to address this case.

Yours sincerely,



Chris Methmann
Executive Director,
foodwatch Germany, on behalf of foodwatch international

Annex: Chronology of what we know so far

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- **End of November 2025:** Nestlé detects the cereulide toxin in its products according to public information^{xiii}. The multinational company is reported to have waited for a health risk analysis before notifying the authorities about this contamination weeks later.
- **9th December 2025:** The Dutch food and consumer protection authority NVWA confirms to foodwatch that Nestlé had informed them about cereulide contamination following tests in one of the Dutch factories of the company, without however carrying out any product recalls, or filing any notifications on the RASFF platform for either Member States authorities or consumers.
- **11th December:** A first batch of baby milk (from the brand Guigoz) is recalled in France.
- **12th December 2025:** The Italian authorities publish a notification about contaminated baby milk on the RASFF platform^{xiv}. Recalls of various milk batches are carried out in several countries: Spain^{xv}, Italy^{xvi}, The Czech Republic^{xvii}, Sweden^{xviii}, Denmark^{xix}, Hungary^{xx}, Finland^{xxi}, Poland^{xxii} – all originating from the Nestlé factory in the Netherlands.
- **15th December 2025:** foodwatch contacts European Commission services, raising concerns that the recalls are too discreet to ensure the proper information of consumers.
- **End December:** Numerous recalls are carried out in a silent way^{xxiii}. By early January, the only piece of official information is a press release from the Austrian authorities indicating that the products recalled originate from several factories around Europe and identifying an issue with a Nestlé supplier.
- **5th January 2026:** Nestlé significantly extends its recalls to over 800 products over at least 70 countries, beyond EU borders^{xxiv}.
- **Since mid-January:** Several cases of children falling ill following consumption of infant milk formula have been reported across the world (France, Brazil, United Kingdom, Singapore, Philippines, the Netherlands, Germany, Luxemburg, Switzerland, etc.). Meanwhile, three investigations on the potential causal link between the consumption of recalled baby milk batches and the death of several babies have been opened in France^{xxv}. More brands are announcing recalls (including Lactalis, Danone...) for products that have been on the market for several months and even one year for Lactalis^{xxvi}.
- **29th January 2026:** foodwatch files a legal complaint in France^{xxvii}.
- **30th January 2026:** A French court launch judicial investigation following complaint by foodwatch. The offenses listed in foodwatch's complaint are being taken seriously and include endangering the lives of others, deception, failure to comply with withdrawal or recall procedures.

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- ⁱ <https://www.foodwatch.org/en/massive-nestle-baby-food-recall-1>
- ⁱⁱ <https://www.foodwatch.org/fr/communiqués-de-presse/2025/rappel-de-lait-en-poudre-pour-bebes-nestle-en-europe-un-risque-inacceptable-denonce-foodwatch>
- ⁱⁱⁱ <https://www.foodsafetynews.com/2025/12/nestle-recalls-infant-formula-in-europe/>
- ^{iv} <https://www.foodwatch.org/fr/communiqués-de-presse/2025/laits-pour-bebes-nestle-contamination-dans-une-dizaine-dusines-en-europe-nestle-savait-au-moins-depuis-decembre-et-a-tarde-a-lancer-les-rappels-dans-plus-de-60-pays-denonce-foodwatch>
- ^v <https://www.foodwatch.org/fr/communiqués-de-presse/2026/plainte-de-foodwatch-suite-au-rappel-de-laits-infantiles-lactalis-et-aux-rappels-de-laits-en-poudre-nestle>
- ^{vi} <https://www.nestle.com/sites/default/files/2026-01/infant-formula-recall-timeline-events.pdf> ; <https://www.lemonde.fr/article-offert/21bdd6371164-6664682/laits-infantiles-la-presence-de-toxine-dans-des-produits-de-nestle-etait-identifiee-dix-jours-avant-les-premiers-rappels-des-la-fin-novembre>
- ^{vii} <https://www.ecdc.europa.eu/sites/default/files/documents/Communicable-disease-threats-report-week-6-2026.pdf>
<https://www.vidal.fr/actualites/37443-plusieurs-nourrissons-hospitalises-en-france-apres-avoir-consomme-du-lait-contamine-par-une-toxine.html>
- ^{viii} <https://www.belganewsagency.eu/at-least-one-baby-in-flanders-fell-ill-due-to-contaminated-nestle-baby-milk>
<https://www.saude.df.gov.br/w/df-confirma-dois-casos-de-contamina%C3%A7%C3%A3o-por-toxina-de-f%C3%B3rmula-infantil>
- ^{ix} Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <https://eur-lex.europa.eu/eli/reg/2002/178/oj?locale=fr>
- ^x <https://webgate.ec.europa.eu/rasff-window/screen/notification/810066>
- ^{xi} https://www.ots.at/presseaussendung/OTS_20260105_OT0028/nestl-ruft-weltweit-saeuglingsnahrung-zurueck-auch-oesterreich-betroffen
- ^{xii} <https://www.inrae.fr/actualites/prevention-intoxications-alimentaires-impacts-societaux-recherches-bacterie-pathogene-bacillus-cereus>
- ^{xiii} <https://www.lemonde.fr/article-offert/21bdd6371164-6664682/laits-infantiles-la-presence-de-toxine-dans-des-produits-de-nestle-etait-identifiee-dix-jours-avant-les-premiers-rappels-des-la-fin-novembre>
<https://www.nestle.com/sites/default/files/2026-01/infant-formula-recall-timeline-events.pdf>
- ^{xiv} <https://webgate.ec.europa.eu/rasff-window/screen/notification/810066>
- ^{xv} https://www.aesan.gob.es/AECOSAN/web/seguridad_alimentaria/alertas_alimentarias/2025_64.htm
- ^{xvi} <https://www.nestle.it/media/pressreleases/allpressreleases/richiamo-volontario-due-lotti-nidina-optimpro-1-italia>
- ^{xvii} <https://tn.nova.cz/zpravodajstvi/clanek/636150-nalehave-varovani-vyrobce-stahuje-nebezpecne-mleko-pro-miminka-muzete-ho-mit-doma>
- ^{xviii} <https://swedenherald.com/article/nestl-recalls-infant-formula>
- ^{xix} <https://www.seoghoer.dk/nyheder/dine-penge/nestle-tilbagekalder-babymaelk-efter-fund-af-bakterier-paa-produktionslinje>
- ^{xx} <https://index.hu/belfold/2025/12/10/nestle-tejalapu-anyatej-helyettesito-tapszer-etelmergezes-bakterium-termekviszahivas/>
- ^{xxi} <https://www.nestle.fi/media/pressreleases/allpressreleases/varotoimena-teht%C3%A4v%C3%A4-takaisinvento-%E2%80%93-rajoitettu-er%C3%A4-nan-0>
- ^{xxii} <https://bydgoszcz.tvp.pl/90496902/wazne-ostrzezenie-gis-bakteria-w-mleku-dla-niemowlat-dwie-partie-wycofane>
- ^{xxiii} https://www.ots.at/presseaussendung/OTS_20260105_OT0028/nestl-ruft-weltweit-saeuglingsnahrung-zurueck-auch-oesterreich-betroffen
- ^{xxiv} <https://webgate.ec.europa.eu/rasff-window/screen/notification/810066>
- ^{xxv} <https://www.bbc.com/news/articles/cq8gqeq8yv0o>
- ^{xxvi} <https://rappel.conso.gouv.fr/affichagePDF/21024/Interne>

<https://rappel.conso.gouv.fr/affichagePDF/21025/Interne>

^{xxvii} <https://www.foodwatch.org/fr/communiqués-de-presse/2026/laits-infantiles-rappeles-foodwatch-porte-plainte-et-defend-des-parents-de-bebes-malades>

<https://www.foodwatch.org/en/infant-formula-recalls-foodwatch-files-criminal-complaint-and-supports-families-of-sick-babies>